TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Application: EDC/21/0132

APPROVAL OF A NON-MATERIAL AMENDMENT FOLLOWING A GRANT OF PLANNING PERMISSION

To: **Mr Quinton Hill-Lines**
C/O Mr Andrew Blythe
7 Soho Square
London
W1D 3QB
United Kingdom

TAKE NOTICE that the **EBBSFLEET DEVELOPMENT CORPORATION** , the Local Planning Authority under the Town and Country Planning Act 1990, has **APPROVED** detailed plans and particulars submitted on 9th August 2021 as a non-material amendment to the Notification of Grant of Planning Permission reference to Develop Land dated in respect of:-

Reserved matters application (details relating to access, appearance, landscaping, layout and scale) for the construction of a mixed use building comprising 10 townhouses, 46 apartments, up to 911m2 of retail floorspace (A1, A2, A3, A5) and associated car parking, circulation space, landscaping, infrastructure, earthworks and Broadband Action Plan, pursuant to conditions 2, 25, 28 and 30 of outline application DA/12/01451/EQVAR.

at: **1 Aragon House**
65 Cherry Orchard
Castle Hill
Ebbsfleet Valley
DA10 1AD

and being **Non-material amendment to reserved matters planning permission reference no. EDC/17/0067 to allow for amendments to the approved landscaping scheme and the removal of parts a) and c) of condition 6.**

Subject to the following conditions specified hereunder:

Conditions

01 The development hereby permitted shall be carried out in accordance with the details and annotations included on the following approved plans:

- Typical Tree Pit Detail - Car Park Plan and Section - Raised Kerb Bed (26592, L6)
- Typical Tree Pit Detail - Car Park Plan and Section (26592, L3, Rev D)
- Landscape Schedule and Notes (26592, L5, Rev D)
- General Arrangement and Soft Landscape Plan (26592, L1, Rev T)

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

02 The soft landscaping scheme hereby approved shall be carried out in full during the first available planting season and maintained in accordance with the approved landscape management plan contained within the approved plans listed in condition 1. Any trees, plants or grass that die, are damaged, removed or become diseased shall be replaced with a species of a similar size and species during the next available planting season.

Reason: In order to ensure an acceptable and functional standard of development upon completion, in accordance with Dartford Core Strategy Policy CS14 and Dartford Development Policies Plan Policy DP25.

Subject to the following Informatives:-

INFORMATIVES :-

1 **EXTENT OF THE APPROVAL**

This decision notice has the effect of substituting the approved plans listed in condition 2 of planning permission reference EDC/17/0067 with those listed above. Accordingly, the following drawings previously approved are superseded by this decision notice:

- General Arrangement and Soft Landscape Plan (26592, L1, Rev F)

For the avoidance of doubt this decision notice does not amend any other part of planning permission reference EDC/17/0067.

This decision notice also has the effect of substituting the approved plans approved under discharge of condition permission reference EDC/19/0022 with those listed above. Accordingly, the following drawings previously approved are superseded by this decision notice:

- General Arrangement and Soft Landscaping Plan (26592, L1, Rev N)
- Typical Tree Pit Detail - Car Park Plan and Section (26592, AT-P14-60, Rev C1)
- Broxap Poplar Mild Steel Tree Guard (spike leg option with tree pit covered with self-binding gravel)

For the avoidance of doubt this decision notice does not amend any other part of planning permission reference EDC/19/0022.

2 **POSITIVE AND CREATIVE APPROACH TO DECISION MAKING**
In accordance with paragraph 38 of the National Planning Policy Framework, Ebbsfleet Development Corporation, as local planning authority, has taken a positive and creative approach to the proposed development, focusing on finding solutions:

- The applicant/agent was provided with pre-application advice;
- The applicant/agent was advised of planning issues during the processing of the application and additional information has been submitted to address these;
- The application was determined within the relevant timescales.

Signed: *Mark Pullin* **Dated:** 22 September 2021

Chief Planning Officer
Ebbsfleet Development Corporation

See Attached Notes:
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regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

(a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or

(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

(i) an application for change of use;
(ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the Ebbsfleet Development Corporation in whose area the land is situated. This notice will require the Corporation to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

- These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.